

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ST. PAUL MERCURY INSURANCE CO., §
§
Plaintiff, §
§
VS. § CIVIL ACTION NO. H-10-5146
§
LEWIS-QUINN CONSTRUCTION, *et al.*, §
§
Defendants. §

ORDER

The court has carefully considered the pleading and submission in support of the application for a Temporary Restraining Order. The court has also considered the response filed in letter form by counsel for four of the defendants. That letter has now been filed.

Based on the current record, the application for a Temporary Restraining Order is denied. The lengthy and complicated history of the issues in the state court weigh against the ex parte relief sought. The long-standing nature of most of the facts cited in support of the Temporary Restraining Order also weighs against granting the application. A hearing is set on the application for **January 18, 2011, at 4:30 p.m.**, in Courtroom 11-B. Counsel for the plaintiff must ensure that all counsel and parties are provided notice.

SIGNED on December 23, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge